

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

WALTER PRIM,

Plaintiff,

v.

Case No. 11-cv-765-JPG

JOHNSON & JOHNSON, ORTHO-MCNEIL PHARMACEUTICAL, INC., and JOHNSON & JOHNSON PHARMACEUTICAL RESEARCH & DEVELOPMENT, LLC,

Defendants.

**MEMORANDUM AND ORDER**

This matter comes before the Court on the parties' joint Motion to Stay (Doc. 7).

Specifically, the parties ask the Court to stay this matter in light of its impending transfer to MDL No. 1943, *In re Levaquin Products Liability Litigation*.

When deciding whether to stay a case due to an ongoing, related MDL, district courts should consider both judicial economy and any prejudice or hardship that the parties would face as the result of a stay. *Walker v. Merck & Co., Inc.*, No. 05-cv-360-DRH, 2005 WL 1565839, at \*2 (S.D. Ill. June 22, 2005); *Bd. of Trs. of Teachers' Ret. Sys. of State of Ill. v. Worldcom, Inc.*, 244 F. Supp. 2d 900, 905 (N.D. Ill. 2002). Here, the Court finds that it is in the interest of judicial economy to stay this matter. A stay will avoid inconsistent legal rulings and allow this case to proceed in an orderly, coordinated fashion. Moreover, because the parties agree to the terms of the instant motion, the Court can safely assume that the parties will not suffer prejudice or hardship if a stay is granted.

For the foregoing reasons, the Court **GRANTS** the parties' Motion to Stay (Doc. 7), whereby the Court **STAYS** this matter pending its transfer to MDL No. 1943, *In re Levaquin Products Liability Litigation*.

**IT IS SO ORDERED.**

**DATED: August 26, 2011**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**